

## REMARKS

### **I. Office Action Summary**

Claims 1-30 are pending. Claims 1, 13 and 22 are the independent claims. In the Office Action dated September 19, 2005, the Examiner rejected claims 1-30 for obviousness-type double patenting over claims of U.S. 5,823,179 in view of Ryder (U.S. Pat. No. 5,533,497). The Examiner rejected dependent claims 6-7, 11, 18, 20 and 26 under 35 U.S.C. § 112, second paragraph as allegedly indefinite.

### **II. Rejections for Obviousness-Type Double Patenting**

Although Applicants respectfully disagree with these rejections, in order to expedite allowance of these claims Applicants attach herewith a terminal disclaimer.

### **III. Rejections Under 35 U.S.C. § 112, second paragraph**

Applicants respectfully traverse the Examiner's indefiniteness rejection of dependent claims 6-7, 11, 18, 20 and 26.

Claim 6 recites that the chamber air outlet comprises a hollow protrusion connected with the housing. As shown in the specification, for example in FIGS. 1 and 2, the outlet 98 is a hollow protrusion (e.g. a tube) extending perpendicularly from the cylindrical housing 12.

Claim 7 recites that the chamber air outlet comprises a hollow protrusion connected with the housing at a perpendicular angle to a longitudinal access of the housing. As shown in the specification, for example in FIGS. 1 and 2, the outlet 98 is a hollow protrusion (e.g. a tube) extending perpendicularly from the cylindrical housing 12. A cylinder has a longitudinal (commonly understood as lengthwise) axis (commonly understood as an imaginary straight line about which an object may be rotated). The cylindrical housing 12 has its longitudinal axis

extending vertically (lengthwise) in FIGS. 1-2 and the hollow protrusion is oriented perpendicular to that axis.

Claim 11 recites a cover having a greater diameter than a diameter of the housing. As shown in the specification, for example at FIGS. 1-2, a cover 21 is shown removably connected with the housing 12 (See also p. 6, lines 1-6). As is seen in that figure, the outer diameter of the cover 21 is greater than the outer diameter of the housing 12. Applicants note that the Examiner's comments in the conclusion of the office action regarding U.S. 4,251,033 accurately reflect the common understanding of outer diameters.

Claim 18 recites a longitudinal axis of a (diverter) shaft being parallel to a longitudinal axis of the gas and liquid orifices. As shown for example in FIGS. 1-2 and described in the description at p. 8, lines 11-29, the longitudinal axis of the shaft of the diverter 60 on the end of the chimney 50 (using same understood meaning of an imaginary lengthwise straight line discussed with respect to claim 7 above) is parallel to the longitudinal axis of the gas 38 and liquid 46 outlets (see also FIG. 2).

Claim 20 recites that the chamber air outlet is integrally formed with the housing. Applicants note that parts associated with the housing "may be formed together of a single piece of material formed by an injection molding process" (see p.5, lines 26-32).

Claim 26 recites that the membrane is secured to the cover. As shown in FIGS 1-1A, and described in the detailed description at, for example, p. 8, lines 31-37, a rim of the flexible membrane 64 is secured to the cover 21.

In view of the support present for all of the items noted by the Examiner, Applicants respectfully traverse the §112 rejections.

#### **IV. Objections to the Description/Drawings**

Applicants respectfully submit that the support now described above for claims 6-7, 11, 18, 20 and 26 obviates the objections raised by the Examiner regarding the specification and drawings

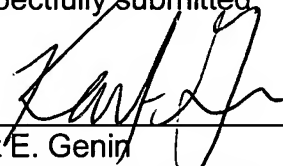
**V. Information Disclosure Statement**

Applicants note the Examiner's statement that copies of the references properly cited in the original IDS filed in the application apparently were misplaced from the earlier cases relied on for priority under 35 U.S.C. §120. Applicants provide herewith an additional copy of references A75-A76 and A78-A81. Copies of references A77 and A82 will be forwarded shortly. For the Examiner's convenience, a clean copy of the originally filed PTO-1449 is also attached.

**VI. Conclusion**

With the above remarks, Applicants submits that claims 1-30 are in condition for allowance. Reconsideration is respectfully requested.

Respectfully submitted



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